

# AMENDMENT TRANSMITTAL LETTER

Docket No. 06181/000K439-US0

Application No.	Filing Date	Examiner	Art Unit
10/089,641	May 3, 2002	B. A. Whiteman	1635

Applicant(s): Dae-Gun Kim, et al.

Invention:

EXPRESSION VECTOR CODING P972-GENE FOR CANCER THERAPY AND

ADENOVIRUS PRODUCING THE SAME

#### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

		CLAIM	S AS AMENI	DED		
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	R	ate	
Total Claims	27	- 7 =	0	X	18	0.00
Independent Claims	2	- 3 =	0	х	86	0.00
Multiple Depend	ent Claims (ch	eck if applicabl	e)			
Other fee (please	e specify):					
TOTAL ADDITI	ONAL FEE FO	OR THIS AME	NDMENT:			0.00
x Large Entity Small Entity						
x No additiona	I fee is require	d for this amer	ndment.			
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Stephanie R. Ar Attorney Reg. N	•					
DARBY & DAR P.O. Box 5257 New York, New (212) 527-7770	York 10150-5	5257				

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# **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

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Application Number	10/089,641
Filing Date	May 3, 2002
First Named Inventor	Dae-Gun Kim, et al.
Art Unit	1635
Examiner Name	B. A. Whiteman
Attorney Docket Number	06181/000K439-US0

ENCLOSURES (Check all that apply)				
Fee Transr	mittal Form	Drawing(s)	After Allowance communication to Technology Center (TC)	
Fee Attached		Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences	
X Amendment/Reply		Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
After Final		Petition to Convert to a Provisional Application	Proprietary Information	
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address	Status Letter	
Extension of Time Request		Terminal Disclaimer	Other Enclosure(s) (please Identify below):	
Express Abandonment Request		Request for Refund		
Information Disclosure Statement		CD, Number of CD(s)		
Certified Copy of Priority Document(s)				
Response to Missing Parts/ Incomplete Application		Remarks		
Response to Missing Parts under 37 CFR 1.52 or 1.53				
		-		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm or Individual name	DARBY & DARBY P.C. Stephanie R. Amoroso, Ph.D 51,401			
Signature	ignature Oteshulum			
Date	October 5, 2004			

Applie fron No. (if known): 10/089,641

Attorney Docket No.: 06181/000K439-US0

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Response to Notice of Non Compliant Amendment (5 pages)

Amendment Transmittal Letter (1 page)

Transmittal (1 page)

Postcard (1)

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Docket No.: 06181/000K439-US0

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Dae Gun Kim

Application No.: 10/089,641

Art Unit: 1635

Filed: May 3, 2002

Examiner: B. A. Whiteman

For: EXPRESSION VECTOR CODING P972-GENE

FOR CANCER THERAPY AND ADENOVIRUS

PRODUCING THE SAME

### SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

### **INTRODUCTORY COMMENTS**

In response to the Notice of Non-compliant Amendment dated September 27, 2004, this submission is responsive. It is believed no extension fees are due, however, please charge any fees to deposit account 01-0400. The fee for the additional claims was paid for with the submission of September 17, 2004.

Listing of the Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.